
By: **Delegates Zirkin and Morhaim**
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Assigned to: Judiciary

Committee Report: Favorable with amendments
House action: Adopted
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CHAPTER _____

1 AN ACT concerning

2 **Family Law - Central Registry - Exception**

3 FOR the purpose of prohibiting a central registry of information regarding child
4 abuse or neglect investigations, maintained by Department of Human
5 Resources, ~~of information regarding child abuse or neglect investigations~~ from
6 including the identity of an individual related to an investigation of neglect or
7 found responsible for neglect under certain circumstances; and generally
8 relating to the central registry.

9 BY repealing and reenacting, with amendments,
10 Article - Family Law
11 Section 5-714
12 Annotated Code of Maryland
13 (1999 Replacement Volume and 2002 Supplement)

14 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
15 MARYLAND, That the Laws of Maryland read as follows:

16 **Article - Family Law**

17 5-714.

18 (a) The Social Services Administration and each local department may
19 maintain a central registry of cases reported under this subtitle.

20 (b) (1) The respective local departments throughout this State shall provide
21 the information for a central registry.

1 (2) Except for identifying information authorized under subsection (d) of
2 this section, a central registry may not include information from a local department
3 case file until any individual found responsible for indicated or unsubstantiated child
4 abuse or neglect has:

5 (i) been found guilty of any criminal charge arising from the
6 alleged abuse or neglect;

7 (ii) unsuccessfully appealed the finding in accordance with the
8 procedures established under § 5-706.1 of this subtitle; or

9 (iii) failed to exercise the appeal rights within the time frames
10 specified in § 5-706.1 of this subtitle, Title 10, Subtitle 2 of the State Government
11 Article, or the Maryland Rules.

12 (c) The information in a central registry shall be at the disposal of:

13 (1) the protective services staff of the Social Services Administration;

14 (2) the protective services staffs of local departments who are
15 investigating a report of suspected abuse or neglect; and

16 (3) law enforcement personnel who are investigating a report of
17 suspected abuse or neglect.

18 (d) (1) Except as provided in paragraph (2) of this subsection, and subject to
19 subsection (e) of this section, a central registry may contain identifying information
20 related to an investigation of abuse or neglect.

21 (2) A central registry may not contain identifying information related to
22 an investigation of abuse or neglect if:

23 (i) abuse or neglect has been ruled out; or

24 (ii) the abuse or neglect finding has been expunged in accordance
25 with § 5-707(b)(1) of this subtitle.

26 (e) (1) The Department or a local department may identify an individual as
27 responsible for abuse or neglect in a central registry only if the individual:

28 (i) has been found guilty of any criminal charge arising out of the
29 alleged abuse or neglect; or

30 (ii) has been found responsible for indicated abuse or neglect and
31 has:

32 1. unsuccessfully appealed the finding in accordance with
33 the procedures established under § 5-706.1 of this subtitle; or

